Los Angeles County Sheriff's Department

Supervisor's Report on Use of Force

Incident Information

URN: 919-13261-1127-091	Date: 06/29/2019	Time: 1120 hours	
Location: [redacted] Genoa Avenue		City or Station: Lancaster	
Bureau/Station/Facility: North Patrol Division / Lancaster Station		Admin. Investigation: ○ YES ● NO	
Type of Force: Takedown / Control Holds			
Incident Category: ○ 1 ○ 2 ● 3	Deputy Injury: ○ YES ● NO	Suspect Injury ● YES ○ NO	
☐ Call ☒ Observation ☐ Detail		☒ Foot Pursuit ☐ Vehicle Pursuit	
IAB Notified: ● YES ○ NO	Person Notified: Lt. Robert Jones	Emp: [redacted]	IAB Roll Out ○ YES ● NO

Involved Employee

E1

Employee #: [redacted]	Last Name: Fink III		First Name: John		Middle I.: R.	Rank: DEP
Sex: ● M ○ F	Race: W	Height: 5-10	Weight: 165	Age: [redacted]	Shift: ○ EM ● Day ○ PM	● Regular Shift ○ OT Shift ○ Off Duty
Unit of Assignment: Lancaster Station			Work Assignment (Unit #, Module, etc.): Unit 112A			
Individual Force Used: Control Holds, Takedown			◯ Directed ◯ Rescue ◯ Medical Assist		Individual Category ○ 1 ○ 2 ● 3	
☐ Injured ☐ Treated ☐ Admitted	Facility:				Coroner Case #	

E2

Employee #: [redacted]	Last Name: [redacted]		First Name: [redacted]		Middle I.: [redacted]	Rank: DEP
Sex: ● M ○ F	Race: W	Height: 5-06	Weight: 135	Age: [redacted]	Shift: ○ EM ● Day ○ PM	● Regular Shift ○ OT Shift ○ Off Duty
Unit of Assignment: Lancaster Station			Work Assignment (Unit #, Module, etc.): Unit 112B			
Individual Force Used: Control Holds			◯ Directed ◯ Rescue ◯ Medical Assist		Individual Category ● 1 ○ 2 ○ 3	
☐ Injured ☐ Treated ☐ Admitted	Facility:				Coroner Case #	

E /

Employee #:	Last Name:		First Name:		Middle I.:	Rank:
Sex: ○ M ○ F	Race:	Height:	Weight:	Age:	Shift: ○ EM ○ Day ○ PM	○ Regular Shift ○ OT Shift ○ Off Duty
Unit of Assignment:			Work Assignment (Unit #, Module, etc.):			
Individual Force Used:			◯ Directed ◯ Rescue ◯ Medical Assist		Individual Category ○ 1 ○ 2 ○ 3	
☐ Injured ☐ Treated ☐ Admitted	Facility:				Coroner Case #	

On Duty Supervisor

☐ Additional Involved Employees

Emp #	Last Name	First Name	Middle I.	Rank	Present	Witness to Incident
[redacted]	Lynch	Lawrence	D.	SGT	YES ○ NO ●	YES ○ NO ●

Supervisor Completing Investigation

Emp #	Last Name	First Name	Middle I.	Rank	Present	Witness to Incident
[redacted]	Rose	Michael	L.	SGT	YES ○ NO ●	YES ○ NO ●

Watch Commander / Supervising Lieutenant

Emp #	Last Name	First Name	Middle I.	Rank
[redacted]	Smitson	Eric	C.	LT

Watch Commander / Supervising Lieutenant's **Signature**: [signature] Date: 4-15-20

Copy Provided to Employee by: [redacted] Emp #: Date: 4/21/20

Unit Commander **(Print Name)**

Unit Commander's **Signature**: [signature]

DISCOVERY Use Only

FO#

☐ PPI REVIEW COMPLETED

Original: Discovery Unit
Copy: Unit Commander

SH-R-438P (Rev. 01/13)

Supervisor's Report on Use of Force
SUSPECT INFORMATION

9 1 9 - 1 3 2 6 1 - 1 1 2 7 - 0 9 1

Suspect Information

S 1

Last Name: Binkier | First Name: Jesse | Middle Name: Robert | Armed? Select: Not Armed

AKA Last Name: | First Name: | Middle Name:

Sex: (●) Male ( ) Female | Race: W | Age: 27 | Height: 5-10 | Weight: 170 | D.O.B: 11/22/91 | Phone #1: ( ) H ( ) W ( ) C None | Phone #2: ( ) H ( ) W ( ) C N/A

Street Address: [redacted] | City: [redacted] | State & Zip Code: [redacted]

Booking #: 5673713 | Primary Charge Code: 10851(a) VC | Secondary Charge Code: 29800 PC | [redacted] Criminal History

Treated on Scene? (●) YES ( ) NO Name: LACoFD | Unit: Engine 33 | Phone #: (661)949-1180

Hospital Admission? [ ] | Rec'd Treatment At: Antelope Valley Hosp | Coroner Case #: | Mental History [X] User's guide provides direction on this entry

By: Dr. Matthew Richard | Address: 1600 West Avenue J, Lancaster | Phone #: (661) 949-5000

Under Influence: ( ) YES (●) NO | Substance: | 5150 a factor in force? ( ) YES (●) NO User's guide provides direction on this entry

Suspect Interview

Date: 06/29/19 | Time: 1404hrs | [ ] Audiotape: | [X] Videotape: | [ ] Photos of Injuries: | [X] ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S /

Last Name: | First Name: | Middle Name: | Armed? Select:

AKA Last Name: | First Name: | Middle Name:

Sex: ( ) Male ( ) Female | Race: | Age: | Height: | D.O.B. | Weight: | Phone #1: ( ) H ( ) W ( ) C | Phone #2: ( ) H ( ) W ( ) C

Street Address: | City: | State & Zip Code:

Booking #: | Primary Charge Code: | Secondary Charge Code: | [ ] Criminal History

Treated on Scene? ( ) YES ( ) NO By: | Unit: | Phone #:

Hospital Admission? [ ] | Rec'd Treatment At: | Coroner Case #: | Mental History [ ] User's guide provides direction on this entry

By: | Address: | Phone #:

Under Influence: ( ) YES ( ) NO | Substance: | 5150 a factor in force? ( ) YES ( ) NO User's guide provides direction on this entry

Suspect Interview

Date: | Time: | [ ] Audiotape: | [ ] Videotape: | [ ] Photos of Injuries: | [ ] ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S /

Last Name: | First Name: | Middle Name: | Armed? Select:

AKA Last Name: | First Name: | Middle Name:

Sex: ( ) Male ( ) Female | Race: | Age: | Height: | D.O.B. | Weight: | Phone #1: ( ) H ( ) W ( ) C | Phone #2: ( ) H ( ) W ( ) C

Street Address: | City: | State & Zip Code:

Booking #: | Primary Charge Code: | Secondary Charge Code: | [ ] Criminal History

Treated on Scene? ( ) YES ( ) NO By: | Unit: | Phone #:

Hospital Admission? [ ] | Rec'd Treatment At: | Coroner Case #: | Mental History [ ] User's guide provides direction on this entry

By: | Address: | Phone #:

Under Influence: ( ) YES ( ) NO | Substance: | 5150 a factor in force? ( ) YES ( ) NO User's guide provides direction on this entry

Suspect Interview

Date: | Time: | [ ] Audiotape: | [ ] Videotape: | [ ] Photos of Injuries: | [ ] ADMITS HEARING ANNOUNCEMENTS

[ ] **Additional Suspects Involved**

Supervisor's Report on Use of Force

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Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(RO) Restraint Device (Other)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(IR) Less Lethal Impact Round (other)
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative
(HR) High Risk

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Involved

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE USED BY		FORCE USED AGAINST		Method (Code)	Type of Injury (Code)	Body Part (Code)
Name	E# or S#	Name	E# or S#			
Binkier	S#1	Fink	E#1	UC	NN	
Binkier	S#1	[redacted]	E#2	UC	NN	
Binkier	S#1	Fink	E#1	RS	NN	
Fink	E#1	Binkier	S#1	TD	FR	HI
[redacted]	E#2	Binkier	S#1	CT	NN	BK
Fink	E#1	Binkier	S#1	CT	NN	BK

Los Angeles County Sheriff's Department

FOOT PURSUIT EVALUATION FORM

DATE: 06/29/19 TIME: 1120 UNIT NAME: Lancaster Station URN: 919-13261-1127-091

LOCATION: 865 West Avenue I, Lancaster DURATION OF FOOT PURSUIT IN MIN/SECS: 1:45

REASON PURSUIT INITIATED: Felony - Property PURSUIT REASON SUSPECTED: ☑

IF FOOT PURSUIT WAS TERMINATED, THEN BY WHOM: Not Terminated

PREDOMINATE LIGHTING CONDITIONS: Bright Sunlight NUMBER OF SUSPS. CHASED: 1

CHECK ALL THAT APPLY

- ☐ POLICY ISSUES
- ☑ FIELD SGT. ACK/RESPOND
- ☑ IMMEDIATE BROADCAST
- ☐ CONTAINMENT
- ☐ AERO RESPONDED
- ☐ CANINE REQUESTED
- ☐ CANINE DEPLOYED
- ☑ IAB NOTIFIED
- ☐ IAB RESPONDED

DEPUTY(S) INFORMATION

DEPUTY #1: Fink, John EMPLOYEE #: [redacted] UOA: Lancaster Station
INJURY: None INJURED:

DEPUTY #2: EMPLOYEE #: UOA:
INJURY: INJURED:

DEPUTY #3: EMPLOYEE #: UOA:
INJURY: INJURED:

DEPUTY #4: EMPLOYEE #: UOA:
INJURY: INJURED:

DEPUTY #5: EMPLOYEE #: UOA:
INJURY: INJURED:

SUSPECT(S) INFORMATION

SUSPECT #1: Binkier, Jesse CAPTURED WITHIN: Greater Than 300 Feet ARMED: Suspect Not Armed
FORCE USED: Significant - Suspect Has Visible / Verifiable Injuries PAROLEE ☐ GANG MEMBER ☐ DRUG/ALCOHOL ☐
ARREST CHARGES: 10851(a) VC, 29800(a)(1) PC, 496 PC, 466 PC, 148(a) PC

SUSPECT #2: CAPTURED WITHIN: ARMED:
FORCE USED: PAROLEE ☐ GANG MEMBER ☐ DRUG/ALCOHOL ☐
ARREST CHARGES:

SUSPECT #3: CAPTURED WITHIN: ARMED:
FORCE USED: PAROLEE ☐ GANG MEMBER ☐ DRUG/ALCOHOL ☐
ARREST CHARGES:

SUSPECT #4: CAPTURED WITHIN: ARMED:
FORCE USED: PAROLEE ☐ GANG MEMBER ☐ DRUG/ALCOHOL ☐
ARREST CHARGES:

SUSPECT #5: CAPTURED WITHIN: ARMED:
FORCE USED: PAROLEE ☐ GANG MEMBER ☐ DRUG/ALCOHOL ☐
ARREST CHARGES:



FOOT PURSUIT EVALUATION FORM

TRAINING QUESTIONS

(Additional comments or training suggestions shall be placed on a continuation form)

Describe tactics used during the operation:

Deputy Fink conducted a traffic stop and immediately noticed the suspect was acting strange. Deputy Fink requested a unit backup, but the suspect fled on foot. Deputy Fink immediately initiated and broadcast a one person foot pursuit. He initially broadcast an incorrect direction of travel, but immediately updated his location and correct direction. Deputy Fink chased the suspect down an alley, and the suspect refused to obey Deputy Fink's commands to stop running and get on the ground. Deputy Fink never lost sight of the suspect and was constantly ordering him to stop. When Deputy [redacted] arrived on scene, Deputy Fink conducted a takedown of the suspect. They handcuffed the suspect without further incident. The suspect's left hip was dislocated when he was tackled.

Could the tactics that were used, be improved upon?

Will be determined by Executive Force Review Panel.

Could there have been other tactics for this particular operation?

Will be determined by Executive Force Review Panel.

ALL PERSONS INVOLVED WITH THIS INCIDENT SHALL BE DEBRIEFED OF THE INFORMATION CONTAINED ON THIS FORM.

Debriefing Date: 6/29/19 Conducted By: Lt. Thomas Bruner

Supervisor Completing Form: Lt. Thomas Bruner Employee #: [redacted]

Watch Commander's Signature: [signature] Employee #[redacted]

Unit Commander's Signature: ____________ Employee #: ____________ Date Signed: ____________

Disposition:

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

INVESTIGATIVE SUMMARY

INCIDENT:	**Category-3 Use-of-Force, Skeletal Fracture**
IAB FILE NUMBER:	**FO 2487077**
URN #:	**919-13261-1127-091**
DATE/TIME:	**June 29, 2019, 1120 hours**
LOCATION:	[redacted] **Genoa Avenue, Lancaster**

SYNOPSIS

On August 12, 2019, an Internal Affairs Bureau (IAB) Shooting/Force Roll-out team was notified of a Category-3 use-of-force that occurred on June 29, 2019 in the city of Lancaster. On the day of the incident, the use-of-force was originally documented as a Category-2, due to the suspect suffering a dislocated hip following a foot pursuit. Three days after the incident, Suspect Binkier received follow-up medical treatment and was diagnosed with a left femoral head fracture. The updated medical paperwork, indicating the skeletal fracture, was not discovered until August 8, 2019, during a review of the use-of-force paperwork by Lancaster Station operations staff. On August 13, 2019, an IAB investigator responded and resumed responsibility for the use-of-force investigation. The incident was documented under Department Uniform Report Number 919-13261-1127-091 **[EXHIBIT A]**.

SUMMARY

On Saturday, June 29, 2019, Lancaster Station Deputy John Fink and a civilian ride-along were patrolling the AutoZone parking lot located on the northeast corner of 10th Street West and Avenue I in the city of Lancaster. Upon pulling into the parking lot, Deputy Fink observed Suspect Binkier driving a silver Honda Civic. Upon observing the marked patrol vehicle, Suspect Binkier abruptly stopped his vehicle and began reversing through the parking lot, away from Deputy Fink. While continuing to drive toward Suspect Binkier's vehicle, Deputy Fink noticed the suspect's vehicle did not have a front license plate, a violation of the California Vehicle Code. The suspect reversed approximately 20 feet and stopped adjacent to a parking stall, partially obstructing parking lot traffic.

IAB Note: On the day of the incident, the civilian ride-along, Robert Jones, [redacted] **Robert Jones was hired by the Department and is currently assigned to North County Correctional Facility as a deputy.**

Based on Suspect Binkier's suspicious behavior, coupled with Deputy Fink's observation of a California Vehicle Code violation, Deputy Fink decided to conduct a traffic stop in order to investigate the missing front license plate and to determine if the vehicle may be stolen. Deputy Fink activated his forward-facing red light and stopped five feet in front of the suspect's vehicle. Without being directed by Deputy Fink, Suspect Binkier immediately exited this vehicle. Deputy Fink noticed Suspect Binkier appeared to be disassociating himself with the vehicle and walked backward toward the vehicle's trunk. Deputy Fink ordered Suspect Binkier to stop walking away. Suspect Binkier spontaneously stated the vehicle was not his and he was borrowing it. Deputy Fink explained to Suspect Binkier that he was being detained for not having a license plate.

Suspect Binkier continued to walk backward away from Deputy Fink and stopped behind the Honda. Deputy Fink attempted to calm Suspect Binkier down and explain to him why he was being detained. Deputy Fink could not see Suspect Binkier's waistband due to the long shirt Suspect Binkier was wearing. Suspect Binkier put his hands in his pants pockets and Deputy Fink drew his pistol fearing Suspect Binkier was going to retrieve a weapon. Deputy Fink ordered Suspect Binkier to remove his hands from his pockets and to lay on the ground. Suspect Binkier ignored Deputy Fink's commands and continued to walk backward toward 10th Street West, just north of the AutoZone building.

Deputy Fink used his Department hand-held radio and requested Lancaster units to respond to his location with lights and sirens because he was detaining a possible stolen vehicle suspect at gunpoint. Suspect Binkier turned around and ran north on 10th Street West. Deputy Fink initiated a one-person foot pursuit, activated the duplex-patch and advised the Sheriff's Communications Center (SCC) he was involved in a foot pursuit.

IAB Note: **Sheriff's radio transmissions operate on a "simplex" channel, which means radio communication is only heard between the deputy transmitting and SCC. When the "duplex patch" is activated, it synchronizes channels together and changes the frequency from simplex to duplex. This means deputies can then transmit directly to one another, making the delay and interference of rebroadcasting of the information by the SCC dispatcher unnecessary.**

Deputy Fink ran behind Suspect Binkier and gave him numerous commands to stop running. Deputy Fink followed Suspect Binkier as he ran north on 10th Street West and turned east onto Avenue H-14. Suspect Binkier changed direction and ran north in the alleyway between 10th Street West and Genoa Avenue. During the foot pursuit, Deputy Fink remained approximately 15 feet behind Suspect Binkier, being aware not to attempt to apprehend Suspect Binkier until another deputy arrived to assist him. While running through the alley, Suspect Binkier stopped and turned toward Deputy Fink. Deputy Fink continued to give Suspect Binkier commands to stop and lay on the

ground. Deputy Fink updated responding units regarding his location in the alley and he was detaining Suspect Binkier at gunpoint. Suspect Binkier refused to comply with Deputy Fink's commands and continued to run north in the alley toward Avenue H-12.

Deputy Fink continued to remain approximately 15 feet behind Suspect Binkier and maintained a visual on Suspect Binkier as he turned around a corner and ran east on Avenue H-12. Suspect Binkier turned south on Genoa Avenue and continued to run another 40 feet.

Deputy [redacted] drove north on Genoa Avenue and approached Deputy Fink and Suspect Binkier's location. Suspect Binkier stopped on the sidewalk between the residences at [redacted] and [redacted] From approximately 15 feet away, Deputy Fink detained Suspect Binkier at gunpoint as Deputy [redacted] arrived and parked his patrol vehicle on Genoa Avenue, south of where Suspect Binkier was standing. Deputy [redacted] assisted Deputy Fink in detaining Suspect Binkier at gunpoint. Both Deputies Fink and [redacted] continued to give Suspect Binkier commands to lay on the ground.

Suspect Binkier began to run eastbound from the sidewalk and attempted to cross Genoa Avenue. Deputy Fink, aware that Deputy [redacted] was present and able to assist him, holstered his pistol and closed the distance between himself and Suspect Binkier. Before Suspect Binkier could reach the other side of the street, Deputy Fink ran behind Suspect Binkier and wrapped both of his arms around Suspect Binkier's waist. Deputy Fink conducted a takedown causing Suspect Binkier to land facedown, on the grass, in the front yard of [redacted] Genoa Avenue. Deputy Fink's body landed on the top of Suspect Binkier's back. Deputy Fink rested his body weight on Suspect Binkier's back, in order to hold Suspect Binkier down on the ground. Deputy [redacted] ran toward Deputy Fink and Suspect Binkier. Deputy [redacted] placed his right knee on the right side of Suspect Binkier's upper-back and used downward pressure in order to assist in holding Suspect Binkier against the ground. Suspect Binkier ceased his resistance and allowed Deputy [redacted] to grab his right hand. Deputy [redacted] handcuffed Suspect Binkier's right wrist, allowing Deputy Fink to reposition his body and take a knee next to where Suspect Binkier was laying. Deputy Fink grabbed Suspect Binkier's left wrist and moved Suspect Binkier's left arm behind his back. Deputy [redacted] handcuffed both of Suspect Binkier's arms behind his back without any resistance.

Suspect Binkier immediately complained of pain to his left leg. After Deputies Fink and [redacted] conducted a cursory search of Suspect Binkier's clothing, they assisted Suspect Binkier to his feet. Suspect Binkier had noticeable trouble walking to the patrol vehicle. Los Angeles County Fire Department personnel were requested to the scene. Suspect Binkier was evaluated and transported to Antelope Valley Hospital by ambulance. Suspect Binkier received four x-rays, which included his left hip, left femur and left knee. He was diagnosed with a dislocated left hip and was released after his hip was reduced (relocated) in the emergency room. Medical records revealed no fractures were seen on the x-rays. Deputy Nicole Bell, #[redacted], transported Suspect

Binkier from the hospital to Lancaster Station and completed the booking process.

During Deputy Fink's investigation, he discovered the Honda Civic that Suspect Binkier had driven was reported stolen. The stolen vehicle's front license plate had been removed and the rear license plate was replaced with a license plate from another vehicle. Additionally, Deputy Fink recovered a shotgun and shotgun ammunition inside the stolen vehicle's trunk along with a plethora of burglary tools. Photographs were taken of the stolen vehicle, shotgun, and the residential yard at the terminus of the foot pursuit **[EXHIBIT B]**.

Deputies Fink and [redacted] immediately reported their use-of-force to Sergeant Lynch. Sergeant Lynch conducted a use-of-force investigation. Sergeant Lynch made a mandatory notification to IAB on June 29, 2019, which reported Suspect Binkier suffered a dislocated left hip following a foot pursuit **[Miscellaneous Documents/IAB Mandatory Notification Form].**

On July 2, 2019, three days after Suspect Binkier was originally booked at Lancaster Station, Suspect Binkier complained about pain to his left leg and hip. A station jailer requested a deputy transport Suspect Binkier back to Antelope Valley Hospital for an additional medical evaluation. Suspect Binkier was given a Computed Tomography (CT) scan and diagnosed with an avulsion fracture on the left femoral head.

> **IAB Note: The Merriam-Webster Dictionary (Medical) defined an avulsion fracture as the detachment of a bone fragment that results from the pulling away of a ligament, tendon, or joint capsule from its point of attachment on a bone.**

Suspect Binkier was transported from Antelope Valley Hospital back to Lancaster Station. The updated medical paperwork was placed in Suspect Binkier's booking package and he was transferred to the Inmate Reception Center. The updated medical paperwork was not provided to Sergeant Lynch, nor was there any indication the jailer knew Suspect Binkier was involved in a previous use-of-force.

On August 10, 2019, Lancaster Station operations staff discovered the updated medical paperwork and notified IAB investigators who took responsibility over the use-of-force investigation.

Lancaster Station Lieutenant Thomas Bruner, #[redacted] prepared a Foot Pursuit Evaluation Form, which was provided to IAB investigators **[Exhibit C]**.

Sergeant Lynch and Lieutenant Bruner prepared a Supervisor's Report on Use of Force (SH-R-438P) with the updated injury information. This report was provided to IAB investigators and will be included as an exhibit in this force review only **[Exhibit D]**.

INVOLVED EMPLOYEE AND WORK HISTORY

Fink III, John R., Deputy, #[redacted]
North Patrol Division
Lancaster Station

Date of Employment:	June 20, 2015
Date Assigned to Lancaster Station:	December 20, 2015
Date Completed Patrol Training (Lancaster Station):	[redacted]
Prior Founded Force Incidents:	

Equipment Worn On Person

Deputy Fink wore a Sheriff's Department tan and green uniform with black boots. He wore a Sam Browne belt, equipped with the following: a Department-approved semi-automatic pistol with attached Surefire Ultra X400 weapon-mounted light, additional magazines, radio, two (2) handcuffs, and a Taser.

[redacted] **Deputy Sheriff, #**[redacted]
North Patrol Division
Lancaster Station

Date of Employment [redacted]:	[redacted]
Promoted to Deputy Sheriff:	March 18, 2012
Date Assigned to Lancaster Station:	June 1, 2014
Date Completed Patrol Training (Lancaster Station):	[redacted]
Prior Founded Force Incidents:	

Equipment Worn On Person
Deputy [redacted] wore a Sheriff's Department tan and green uniform with black boots. He wore a Sam Browne belt, equipped with the following: a Department-approved semi-automatic pistol with attached Surefire Ultra X400 weapon-mounted light, additional magazines, radio, two (2) handcuffs, and a Taser.

SUSPECT INFORMATION

Binkier, Jesse Ryan
Male White, DOB: November 22, 1991, 5'10", 170 pounds
[redacted]
CII #[redacted], MAIN #[redacted] FBI #[redacted] CDL #[redacted]

Suspect Binkier's criminal history and booking information were included with this force review. A review of Suspect Binkier's Consolidated Criminal History System (CCHS) Report indicated Suspect Binkier had [redacted] **[Exhibit G]**.

WITNESSES:

The following personnel were not witnesses to the use-of-force incident; however, they were interviewed regarding their involvement in the incident.

Deputy Robert Jones, #[redacted]
Sergeant Lawrence Lynch, #[redacted]

SUSPECT'S INJURIES

On June 29, 2019, Suspect Binkier was transported by ambulance to Antelope Valley Hospital for medical treatment. Suspect Binkier was treated by Doctor Atilla Uner and diagnosed with a dislocated left hip. Several x-rays were taken of Suspect Binkier's left hip and left leg and no fractures were seen.

On July 2, 2019, Suspect Binkier was transported to Antelope Valley Hospital by a patrol vehicle. Suspect Binkier was treated by Doctor Matthew Richard. Doctor Richard requested a Computed Tomography (CT) scan of Suspect Binkier's left hip. The CT scan revealed Suspect Binkier had an avulsion fracture of the left femoral head.

Medical records from Antelope Valley Hospital and Los Angeles County Jail inmate medical records were obtained by IAB investigators **[Exhibit F]**.

> **IAB Note: Suspect Binkier identified himself as "JR. JOHNSON" to Antelope Valley Hospital staff. As a result, Suspect Binkier's medical records from Antelope Valley Hospital are under the name "JR. JOHNSON," and memorialized under medical record number [redacted].**

DEPUTY PERSONNEL INJURIES

There were no reported injuries to deputy personnel as a result of this incident.

PHYSICAL EVIDENCE

Deputy Fink recovered a stolen Honda Civic, a Remington shotgun, S/N [redacted] two live 12-gauge shotgun shells, a one-foot long machete, and numerous shaved vehicle keys. Photographs of the physical evidence were taken and booked into evidence at Lancaster Station **[Exhibit E/Evidence Photographs]**.

INVESTIGATOR'S OBSERVATIONS

Approximately forty-four days elapsed between the date of the use-of-force incident and the assignment to IAB investigators; therefore, IAB investigators made no observations.

WEAPONS USED BY INVOLVED DEPARTMENT PERSONNEL

None

WEAPONS USED BY SUSPECT JESSE BINKIER

None

PROPERTY DAMAGE

None

CRIMINAL INVESTIGATION AND CHARGES FILED

The criminal investigation was handled by Lancaster Station Detective Brian Mohr, #[redacted]. The District Attorney's Office filed two felony charges against Suspect Binkier. Suspect Binkier exercised his right to jury trial. On November 6, 2019, Suspect Binkier was convicted of one count of Driving a Vehicle without the Owner's Consent, §10851(a) of the California Vehicle Code, and one count of Possession of a Firearm by a Convicted Felon, §2900(a)(1) of the California Penal Code. Suspect Binkier was sentenced to six years in State Prison **[EXHIBIT G]**.

LIGHTING AND WEATHER CONDITIONS

The incident occurred shortly before noon on a summer day. The temperature was recorded in the low 90s. There was no precipitation and the winds were out of the WSW between 10-17 mph.

STATEMENTS:

Internal Affairs Bureau investigators interviewed the below Department personnel and witnesses. The following is a summary of their recorded interviews. For more detailed information and precise wording, see the attached verbatim interview transcriptions.

INVOLVED EMPLOYEE DEPUTY JOHN FINK:

On December 19, 2019, Deputy John Fink was interviewed by IAB Sergeant Jeffery Hamil at Lancaster Station. Deputy Fink was represented by attorney Amy Johnson from the Law Offices of Rains, Lucia, and Stern.

On June 29, 2019, Deputy Fink was working Unit 112A on day shift in the city of Lancaster. At approximately 11:20 a.m., he pulled into the AutoZone parking lot on the northeast corner of 10th Street West and Avenue I to conduct a routine patrol check. Upon pulling into the parking lot from Avenue I, he observed a silver Honda Civic that did not have a front license plate. Deputy Fink drove north through the parking lot while the Honda Civic drove southbound, allowing Deputy Fink to observe the Honda was not

displaying a front license plate.

Upon noticing Deputy Fink's patrol vehicle, Suspect Binkier, who was driving the Honda, shifted his vehicle into reverse and drove backward for approximately 20 feet. Deputy Fink believed this was extremely unusual behavior and decided to conduct a traffic stop in order to investigate the missing license plate and the possibility the vehicle was stolen.

Deputy Fink activated his forward-facing red light and stopped almost head-on with the Honda Civic. Suspect Binkier immediately exited the driver's door and began walking away from the vehicle. Deputy Fink believed Suspect Binkier was "trying to disassociate himself from the vehicle," which increased Deputy Fink's suspicion the vehicle was stolen **[Fink Transcript, p. 5]**.

Deputy Fink exited his patrol vehicle and ordered Suspect Binkier to "stop, right there." Deputy Fink attempted to explain to Suspect Binkier that he just wanted to talk to him about why he did not have a front license plate. Suspect Binkier told Deputy Fink, "Why are you messing with me," and commented he was just "borrowing" the vehicle. Suspect Binkier continued to slowly walk backward along the driver side of the Honda. Deputy Fink told Suspect Binkier he was being detained and could not leave. Deputy Fink ordered Suspect Binkier to stop walking away. Suspect Binkier began to act "erratically" and moved his hands to the top of his head displaying that he was "not happy" with Deputy Fink **[Fink Transcript, pp. 5-6]**.

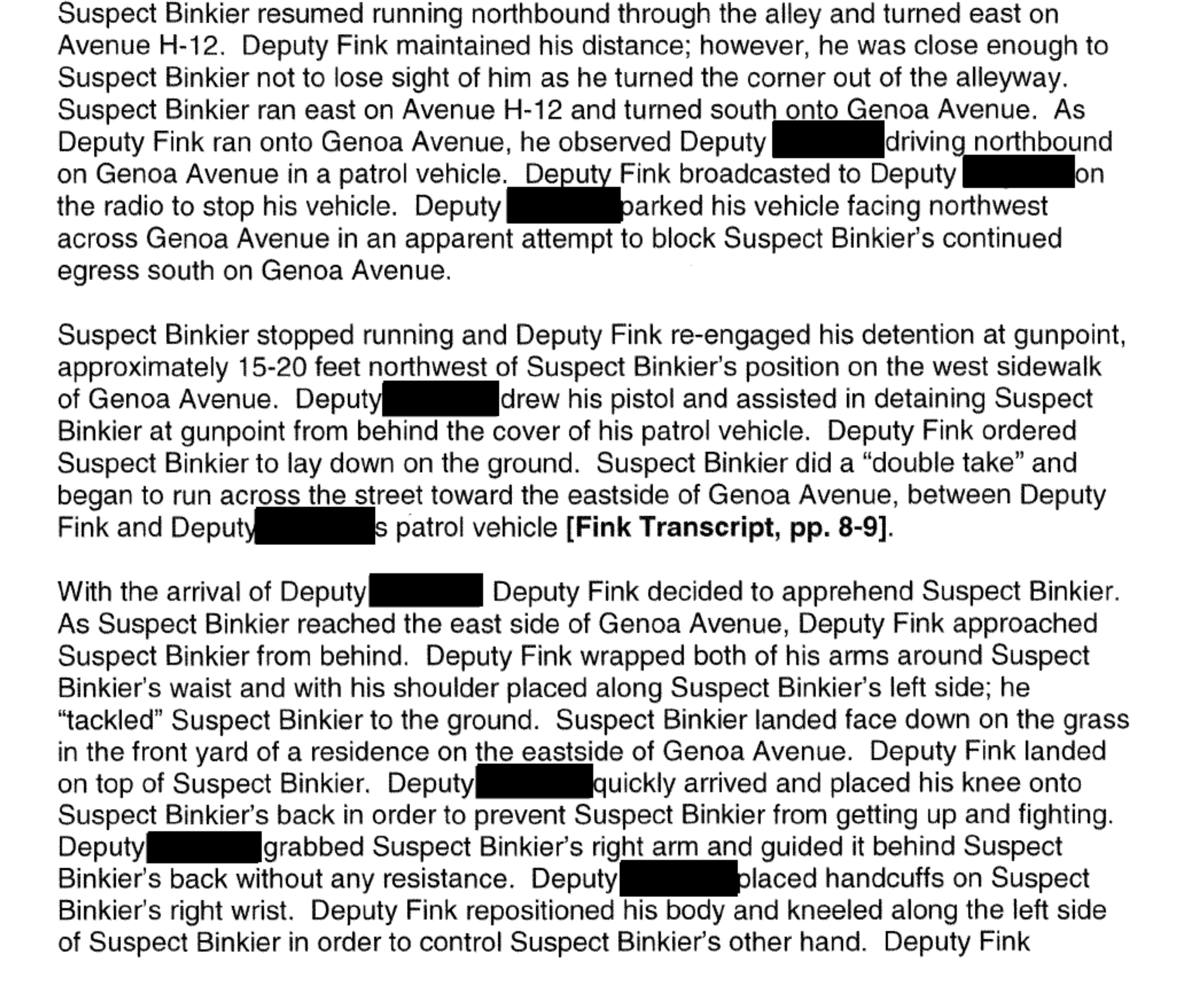
As Suspect Binkier stood close to the trunk of the Honda, Deputy Fink told Suspect Binkier again to "stop, right there," and, "put your hands on the trunk...you're not leaving." Deputy Fink walked toward Suspect Binkier. Suspect Binkier placed both of his hands into his pant pockets. Deputy Fink ordered Suspect Binkier to remove his hands from his pockets. Deputy Fink decided to use his hand-held Department radio, activated the "duplex patch," and requested assistance from Lancaster Station units to assist with detaining Suspect Binkier. Deputy Fink simultaneously removed his pistol and attempted to detain Suspect Binkier at gunpoint.

As Deputy Fink began to broadcast that he was detaining at gunpoint on his portable radio, Suspect Binkier turned around and began running through the parking lot toward 10th Street West. Deputy Fink ran behind Suspect Binkier and advised SCC that he was in foot pursuit. As Deputy Fink passed the Honda, he did not look into the vehicle to see if there were any other occupants because his focus was on Suspect Binkier, who had previously put his hands in his pockets, and it was unknown if he was armed **[Fink Transcript, p. 6]**.

As Suspect Binkier and Deputy Fink ran north through the parking lot toward the sidewalk of 10th Street West, Suspect Binkier took his hands out of his pockets. Deputy Fink did not see any weapons in Suspect Binkier's hands. Deputy Fink ran after Suspect Binkier as he traversed northbound on 10th Street West and turned east onto Avenue H-14. Suspect Binkier ran east on Avenue H-14 and quickly turned north into

the alley that ran north/south between 10th Street West and Genoa Avenue. During Deputy Fink's foot pursuit, he continuously updated SCC with his location and direction of travel. Deputy Fink told SCC he did not believe Suspect Binkier was armed, and broadcast the suspect's description. Deputy Fink was cognizant of the fact he was engaged in a one-man foot pursuit, made a conscious effort to maintain an approximately 15-foot separation and did not attempt to apprehend Suspect Binkier until assistance arrived **[Fink Transcript, p. 7]**.

While running north through the alley, between Avenues H-12 and H-14, Suspect Binkier stopped running and remained static for approximately five to ten seconds. Deputy Fink immediately re-engaged his detention at gunpoint and updated SCC and his responding units. Throughout the foot pursuit, Deputy Fink continued to give Suspect Binkier commands to "Lay on the ground," "Keep your hands where I can see them," and "Stop running." In response, Suspect Binkier made unintelligible statements to Deputy Fink.



Suspect Binkier resumed running northbound through the alley and turned east on Avenue H-12. Deputy Fink maintained his distance; however, he was close enough to Suspect Binkier not to lose sight of him as he turned the corner out of the alleyway. Suspect Binkier ran east on Avenue H-12 and turned south onto Genoa Avenue. As Deputy Fink ran onto Genoa Avenue, he observed Deputy [redacted] driving northbound on Genoa Avenue in a patrol vehicle. Deputy Fink broadcasted to Deputy [redacted] on the radio to stop his vehicle. Deputy [redacted] parked his vehicle facing northwest across Genoa Avenue in an apparent attempt to block Suspect Binkier's continued egress south on Genoa Avenue.

Suspect Binkier stopped running and Deputy Fink re-engaged his detention at gunpoint, approximately 15-20 feet northwest of Suspect Binkier's position on the west sidewalk of Genoa Avenue. Deputy [redacted] drew his pistol and assisted in detaining Suspect Binkier at gunpoint from behind the cover of his patrol vehicle. Deputy Fink ordered Suspect Binkier to lay down on the ground. Suspect Binkier did a "double take" and began to run across the street toward the eastside of Genoa Avenue, between Deputy Fink and Deputy [redacted]s patrol vehicle **[Fink Transcript, pp. 8-9]**.

With the arrival of Deputy [redacted] Deputy Fink decided to apprehend Suspect Binkier. As Suspect Binkier reached the east side of Genoa Avenue, Deputy Fink approached Suspect Binkier from behind. Deputy Fink wrapped both of his arms around Suspect Binkier's waist and with his shoulder placed along Suspect Binkier's left side; he "tackled" Suspect Binkier to the ground. Suspect Binkier landed face down on the grass in the front yard of a residence on the eastside of Genoa Avenue. Deputy Fink landed on top of Suspect Binkier. Deputy [redacted] quickly arrived and placed his knee onto Suspect Binkier's back in order to prevent Suspect Binkier from getting up and fighting. Deputy [redacted] grabbed Suspect Binkier's right arm and guided it behind Suspect Binkier's back without any resistance. Deputy [redacted] placed handcuffs on Suspect Binkier's right wrist. Deputy Fink repositioned his body and kneeled along the left side of Suspect Binkier in order to control Suspect Binkier's other hand. Deputy Fink

ordered Suspect Binkier to place his hands behind his back. Suspect Binkier complied and Deputy Fink grabbed Suspect Binkier's left arm and guided it behind Suspect Binkier's back without any resistance. Deputy [redacted] completed the handcuffing of Suspect Binkier.

Suspect Binkier immediately complained that he believed his leg was broken. He assisted Suspect Binkier to the curb and asked him to sit on the curb in order to prevent further injury. An ambulance was requested to respond to the scene in order to provide medical treatment to Suspect Binkier. Deputy Fink had no further contact with Suspect Binkier.

Deputy Fink returned to the location where the Honda Civic was parked. He discovered the Honda Civic was reported as stolen and he recovered a 12-gauge shotgun from inside the vehicle's trunk.

IAB Note: Deputy Fink marked on a photograph and map during his interview with IAB investigators to detail locations and positioning during the incident [Exhibit H].

INVOLVED EMPLOYEE DEPUTY [redacted]

On December 19, 2019, Deputy [redacted] was interviewed by IAB Sergeant Jeffrey Hamil at Lancaster Station. During the interview, Deputy [redacted] was represented by attorney Amy Johnson from the Law Offices of Rains, Lucia, and Stern.

On June 29, 2019, Deputy [redacted] was working Unit 112 in the city of Lancaster. While outside his vehicle on an unrelated pretty theft call, Deputy [redacted] heard "emergency [radio] traffic" broadcast by Deputy Fink advising he was in foot pursuit of a stolen vehicle suspect. Deputy [redacted] ran to his patrol vehicle and responded to where Deputy Fink was requesting assistance. Deputy [redacted] was less than a mile away and it took him less than a minute to arrive.

As Deputy [redacted] drove north on Genoa Avenue, he observed both Suspect Binkier and Deputy Fink running south on Genoa Avenue. Deputy [redacted] stopped his vehicle in an attempt to cut-off Suspect Binkier. He exited his vehicle and drew his pistol. Both he and Deputy Fink gave Suspect Binkier commands to "Put [your] hands up" and "Get on the ground." Suspect Binkier momentarily stopped and started to put his hands up, before deciding to continue to run east across Genoa Avenue. Both Deputies Fink and [redacted] holstered their pistols. Deputy Fink chased after Suspect Binkier, as Deputy [redacted] followed shortly behind Deputy Fink. Deputy Fink caught up to Suspect Binkier as he reached the eastside of Genoa Avenue. Deputy [redacted] saw Deputy Fink "conduct a tackle from [Suspect Binkier's] rear" by wrapping his arms around Suspect Binkier's waist. Both Suspect Binkier and Deputy Fink fell onto a grassy area, with Deputy Fink landing on top of Suspect Binkier.

Deputy Fink straddled Suspect Binkier's legs as Deputy [redacted] ran around them to assist. Deputy [redacted] used his right knee to kneel down on Suspect Binkier's right shoulder blade. Deputy [redacted] pushed down with force as he kneeled on Suspect Binkier's back. Both he and Deputy Fink conducted a "quick cursory search" of Suspect Binkier's clothing. Deputy [redacted] controlled Suspect Binkier's right arm and wrist, and placed them behind Suspect Binkier's back and handcuffed him without resistance [[redacted] **Transcript, pp. 5-6]**.

Suspect Binkier immediately complained that his leg was broken. Deputy [redacted] believed Suspect Binkier was being untruthful because he had just ran a "mile" from a deputy without any problems. Deputies [redacted] and Fink lifted Suspect Binkier to his feet and walked with him approximately ten feet before they noticed Suspect Binkier was not "standing on his own." Deputy [redacted] realized "something was wrong" with Suspect Binkier's leg and sat him back down in order for fire department personnel to respond and evaluate Suspect Binkier's injury. Deputy [redacted] had no further contact with Suspect Binkier after fire department personnel arrived [[redacted] **Transcript, p. 8]**.

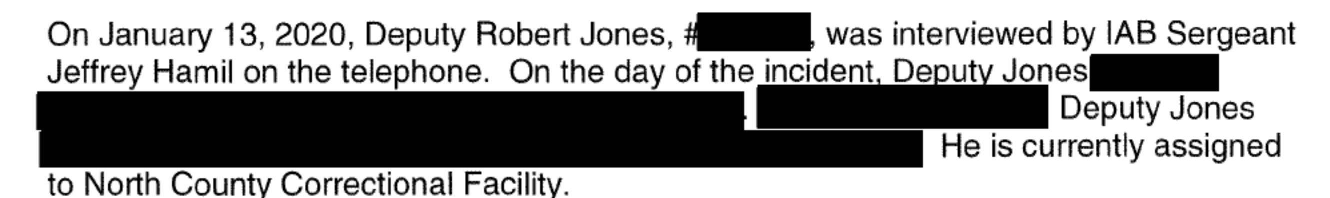
IAB Note: **Deputy [redacted] marked on a photograph and map during his interview with IAB investigators to detail locations and positioning during the incident [Exhibit H].**

WITNESS STATEMENTS:

Internal Affairs Bureau investigators interviewed the below Department personnel and/or civilian witnesses. The following is a summary of their recorded interviews. For more detailed information and precise wording, see the attached verbatim interview transcriptions.

DEPUTY ROBERT JONES:

On January 13, 2020, Deputy Robert Jones, #[redacted], was interviewed by IAB Sergeant Jeffrey Hamil on the telephone. On the day of the incident, Deputy Jones [redacted]. [redacted] Deputy Jones [redacted] He is currently assigned to North County Correctional Facility.



On June 29, 2019, Deputy Jones participated in a ride-along with Deputy Fink at Lancaster Station. Deputy Jones was a passenger in Deputy Fink's patrol vehicle as Deputy Fink conducted a traffic stop in a parking lot near 10th Street West and Avenue I. When Suspect Binkier exited his vehicle, he appeared very "agile, fidgety, [and] kind of combative." Deputy Jones noticed Suspect Binkier appeared not to cooperate with Deputy Fink. Suspect Binkier reached into his pocket and was acting "kind of obnoxious." Deputy Jones believed Suspect Binkier may have been on "some type of drug." Suspect Binkier appeared to be distracted and was looking around, rambling, and not paying attention to what Deputy Fink was trying to tell him. Deputy Fink gave Suspect Binkier verbal commands, at gunpoint, not to reach into his pockets **[Jones**

Transcript, pp. 2-3].

During Deputy Fink's detention at gunpoint, Suspect Binkier fled on foot. Suspect Binkier ran west, through the parking lot, and north on 10th Street West. Deputy Jones wanted to follow Deputy Fink but decided to stay with the patrol vehicle.

Deputy Jones did not witness the use-of-force between Deputy Fink and Suspect Binkier. After approximately five minutes, other deputies from Lancaster Station arrived to secure Deputy Fink's and Suspect Binkier's vehicles.

SERGEANT LAWRENCE LYNCH:

On February 1, 2020, Sergeant Lawrence Lynch, #[redacted], was interviewed by IAB Sergeant Michael Rose in the Captain's Conference Room at Lancaster Station. Sergeant Lynch had been assigned as a sergeant at Lancaster Station since May of 2019. On the day of the incident, Sergeant Lynch was working as a field sergeant.

During his shift, Sergeant Lynch heard Deputy Fink broadcast on the radio that he was in foot pursuit near the area of 10th Street West and Avenue I. Sergeant Lynch advised SCC he was responding with lights and sirens to the area of the foot pursuit. When Sergeant Lynch arrived, he saw Suspect Binkier was already detained in handcuffs by Lancaster Station deputies. Sergeant Lynch did not witness the use-of-force by any Lancaster Station personnel. Deputies were attempting to walk Suspect Binkier to a patrol vehicle and Suspect Binkier was cooperating.

Deputies Fink and [redacted] immediately reported their use-of-force to Sergeant Lynch. No other deputies reported using force or witnessing a use-of-force.

Sergeant Lynch was responsible for conducting a use-of-force investigation. Part of his investigation included canvassing the area for potential witnesses and surveillance cameras. Sergeant Lynch located two male adults who were on the street when he arrived. Both male adults were uncooperative with Sergeant Lynch and refused to give him a statement. Sergeant Lynch was unable to identify the male adults.

Sergeant Lynch recalled a female at the scene yelling. He later learned the female may have been Suspect Binkier's girlfriend. Sergeant Lynch was unable to identify the female, nor was he able to interview her regarding her being a potential witness.

Sergeant Lynch interviewed [redacted] regarding the incident. Mr. [redacted] did not witness a use-of-force involving Department personnel and Suspect Binkier. Mr. [redacted] witnessed a portion of the foot pursuit; however, he did not witness the end of the foot pursuit when Suspect Binkier was arrested.

Sergeant Lynch was unable to locate any surveillance cameras, which may have captured the use-of-force incident.

While at the scene, Suspect Binkier was placed into an ambulance and was "screaming in pain." Sergeant Lynch could not see any visible injury, but noticed Suspect Binkier was pointing at his leg. Sergeant Lynch responded to Antelope Valley Hospital and interviewed Suspect Binkier on video camera. Sergeant Lynch recalled Suspect Binkier mentioning he decided to run from the deputies because the deputy pointed a gun at him and he was afraid. Suspect Binkier also mentioned he "blacked out." At some point during Sergeant Lynch's interview with Suspect Binkier, Sergeant Lynch's video camera battery died. A few minutes later, Sergeant Lynch looked down and noticed his video camera was not on. Sergeant Lynch did not recall Suspect Binkier mentioning anything while his camera was not recording that was not mentioned in his Supervisor's Report of Use-of-Force Report **[Lynch Transcript, p. 9]**.

While at Antelope Valley Hospital, Sergeant Lynch discovered from hospital staff that Suspect Binkier suffered a dislocated left hip. Sergeant Lynch continued with the use-of-force investigation as a Category-2 use-of-force incident.

Over a month after the use-of-force incident, Sergeant Michael Bryerton, #[redacted], told Sergeant Lynch that Suspect Binkier was transported back to Antelope Valley Hospital on July 2, 2019, and was diagnosed with a fractured hip. Sergeant Lynch had no idea Suspect Binkier's hip was fractured prior to Sergeant Bryerton reviewing the use-of-force package.

SUSPECT JESSE BINKIER:

On June 29, 2019, at 2:04 p.m., Sergeant Lynch interviewed Suspect Binkier in the Antelope Valley Hospital Emergency Room. Suspect Binkier was laying on a gurney with his right wrist handcuffed to the right rail of the gurney.

> **IAB Note: Suspect Binkier identified himself as "Jr. Johnson" during his interview with Sergeant Lynch. He also indicated his date of birth was November 22, 1991. Department of Motor Vehicles (DMV) records indicated Suspect Binkier's date of birth is November 21, 1991.**

Suspect Binkier told Sergeant Lynch he was parked in the AutoZone parking lot when a deputy "cruised" up on him and jumped out of his patrol vehicle while Suspect Binkier exited his vehicle. The deputy "came at" him and told him to put his hands up and a "bunch of other stuff." Due to Suspect Binkier's anxiety and Post-Traumatic Stress Disorder (PTSD), he became confused. The deputy grabbed his gun and said, "You better not run," causing Suspect Binkier to "wig out." Suspect Binkier told the deputy multiple times to, "Stop, and put it away." Eventually, Suspect Binkier's PTSD "got the best of [him]" and he started walking away while he continued to ask the deputy to put his gun away and demanded to know what he did wrong **[Exhibit E/Sergeant Interview]**.

IAB Note: Suspect Binkier continued to speak; however, Sergeant Lynch's video recording abruptly stopped due to a dead battery.

On June 29, 2020, at approximately 11:52 p.m., Lieutenant Paul Bartlett, #[redacted], conducted a watch commander's interview of Suspect Binkier at the Lancaster Station Jail. The interview was conducted in the presence of Sergeant Keith Greene, #[redacted], and Deputy Beatrice Giles, #[redacted]. The interview was conducted inside a single-person cell as Suspect Binkier rested face down on his bunk.

Suspect Binkier told Lieutenant Bartlett that he was standing outside of his parked vehicle in the AutoZone parking lot when a deputy pulled up and jumped out of his patrol vehicle. The deputy immediately told Suspect Binkier to put his hands up. Suspect Binkier asked the deputy, "What's wrong" and took a step. The deputy pulled out his gun and told Suspect Binkier to put his hands up and that Suspect Binkier was "not going to get arrested." The deputy indicated he only wanted to search Suspect Binkier and Suspect Binkier asked the deputy what he was being searched for.

Suspect Binkier put his hands up and begged the deputy to put his gun away. Eventually, Suspect Binkier "freaked out" at the presence of the deputy's gun because he had "really bad" PTSD. Suspect Binkier began to cry and started to walk away. The deputy "aimed" his gun at Suspect Binkier. Suspect Binkier said, "Don't do it" and decided to run away. Suspect Binkier indicated he could not remember anything after that.

Suspect Binkier recalled that during the foot pursuit, he stopped, put his hands up, and pleaded with the deputy to put his gun away. The deputy continued to aim his gun at Suspect Binkier, which caused Suspect Binkier to keep walking and "freaking out."

As Suspect Binkier continued to walk away, the deputy's partner arrived. The deputy "tackled" Suspect Binkier from behind. After he was tackled, the deputy shoved his knee into his hip and back and kept "kneeing" him, causing his hip to dislocate. Both deputies pushed his face into the dirt multiple times even though he was fully cooperating. Suspect Binkier placed his hands behind his back and the deputies handcuffed him **[Binkier Transcript, p. 3]**.

Suspect Binkier immediately complained to the deputies about his hip and the fact he could not walk; however, the deputies did not believe him and accused him of "lying." He was taken to the hospital where hospital staff put his left hip back into place.

Suspect Binkier indicated his wife "has it all on tape too," and indicated she was present when he was in pain and attempted to walk toward a radio car after the use-of-force had occurred.

Suspect Binkier denied suffering any other injury as a result of this use-of-force. He also denied preexisting injuries to his back or hip. He had previously had a hernia

surgery. Suspect Binkier has previously been under the care of a psychiatrist for anxiety and bi-polar disorder; however, he refused to take medications for those disorders.

Suspect Binkier had ingested methamphetamine two days prior to the use-of-force incident.

> IAB Note: **During the booking process at Lancaster Station, Suspect Binkier answered the medical questionnaire stating he used methamphetamine and heroin on a weekly basis. Suspect Binkier also admitted to medical staff at Inmate Reception Center that he used methamphetamine five times a week [Exhibit F].**

RADIO TRAFFIC

IAB investigators reviewed radio traffic and cold line communication associated with this incident. Deputy Fink and responding units utilized the SCC Dispatch Channel 15 radio frequency on the duplex patch. The radio traffic and cold line communication was copied onto a compact disc and included in the casebook **[Exhibit E/Radio Traffic].**

> IAB Note: **There is a point-to-point voice channel (Hotline) between each station dispatcher and the SCC Public Response Dispatcher assigned to that station's working frequency. An alternate voice line is an automatic ring circuit (Cold Line) that links the station watch commander with the SCC watch sergeant, who shall immediately and directly carry out the orders of the station watch commander.**

> IAB Note: **During this incident, Lancaster Station watch sergeant was responsible for Cold Line communications because the watch commander was in the field and responded to the terminus of the foot pursuit.**

The following is a brief synopsis of the transmissions:

Dispatch Channel 15

11:14:15 AM- Deputy Fink (Unit 112A) requested clearance to run a California license plate.

11:14:25 AM- SCC requested Deputy Fink to repeat his call sign.

11:14:37 AM- Deputy Fink requested emergency radio clearance and the activation of the duplex-patch.

11:14:42 AM- Deputy Fink advised Lancaster units he was detaining a possible stolen vehicle suspect at gunpoint. Deputy Fink gave his exact location and stated the suspect was walking "southbound" on 10th Street West.

11:15:00 AM- Unit 112B (Deputy [redacted] advised he was responding within "seconds."

11:15:10 AM- Deputy Fink advised he was in foot pursuit. Deputy Fink advised his direction of travel and gave Suspect Binkier's physical and clothing description.

11:15:38 AM- Unit 110S (Sergeant Lynch) advised he was responding.

11:15:49 AM- Deputy Fink advised he did not see any weapons on the suspect.

11:15:55 AM- Deputy Fink advised his location in the alley and that he was detaining at gunpoint. Deputy Fink gave Suspect Binkier commands "get on the ground" while his microphone was activated.

11:16:15 AM- Deputy Fink advised he was continuing his foot pursuit north in the alley.

11:16:26 AM- Sergeant Lynch advised a second time he was responding to the location.

11:16:50 AM- Deputy Fink continued to give updates regarding his location.

11:17:12 AM- Unit 111 advised he was going to be on scene within seconds. Unit 110L (Watch Commander Lieutenant Thomas Bruner) advised he was on scene.

11:17:29 AM- Deputy Fink advised he was at [redacted]

11:18:00 AM- An unknown deputy advised "code 4" and two units were on scene.

11:19:00 AM- Deputy Fink advised there were no outstanding suspects and Suspect Binkier was in-custody.

10:19:15 AM- Deputy Fink requested the fire department respond because Suspect Binkier complained he possibly had a broken leg.

11:20:07 AM- Deputy Fink requested a unit to respond to his patrol vehicle in the AutoZone parking lot. SCC released the frequency for routine traffic.

Cold Line Communication

At 11:16 a.m., Sergeant [redacted] #[redacted] connected the Cold Line and spoke to the SCC Watch Commander regarding the foot pursuit. Sergeant [redacted] requested SCC ask Deputy Fink if the suspect was armed. During the foot pursuit, Sergeant [redacted] requested the status of responding units. Sergeant [redacted] acknowledged the Watch Commander was on-scene at the terminus of the foot pursuit. Sergeant [redacted] requested SCC to ask Deputy Fink if there were any outstanding suspects and if all deputies were accounted for before disconnecting the Cold Line.

ADDITIONAL INFORMATION:

On June 29, 2019, at 11:28 a.m., Sergeant Jeffrey Hutchinson, #[redacted], video recorded a panoramic view of the front yard and grassy area where the use-of-force incident occurred. Contained within the video recording was an image of Suspect Binkier sitting on the curb in front of [redacted]. Suspect Binkier was being medically evaluated by fire department personnel **[EXHIBIT E/Scene video]**.

On June 29, 2019, Sergeant Hutchinson interviewed Mr. [redacted] outside his residence at [redacted]. Mr. [redacted] observed a portion of the foot pursuit through a fence and heard a deputy order a suspect to get on the ground. He did not witness any use-of-force or see how the suspect was arrested because his view was obstructed by a camping trailer in a nearby driveway **[EXHIBIT E/Witness [redacted]**.

Involved Employee Deputy Daily Worksheets, Incident History Reports, and inmate transfer records were obtained by IAB investigators **[Miscellaneous Documents]**.

IAB investigators obtained the Involved Employee's California Commission on Peace Officer Standards and Training (POST) training records **[Miscellaneous Documents]**.

Lancaster Station supervisors and IAB investigators were unable to identify the female that Suspect Binkier indicated might have video recorded the use-of-force incident. IAB investigators reviewed Suspect Binkier's current and prior booking packing emergency contact information and were unable to identify the female. Social media sites and the YouTube website were monitored and no videos consistent with this incident could be located.

An IAB investigator spoke to Deputy District Attorney Jessica Lansky who represented the People of California during Suspect Binkier's jury trial following his arrest related to this incident. Deputy District Attorney Lansky elucidated that during Suspect Binkier's criminal trial, the defense called no witnesses, nor did the defense produce any video of the incident.

An IAB investigator obtained inmate call records for Suspect Binkier using the [redacted]. Suspect Binkier did not make a telephone call between the times of his arrest and before he was interviewed by Lieutenant Bartlett.

The first documented telephone call by Suspect Binkier was on July 2, 2019, at 9:12 p.m. while at Twin Towers Correctional Facility **[Miscellaneous Documents]**.